IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

INCOME TAX APPEAL NO. 572 OF 2003

The Commissioner of
Income tax, Central III,Mumbai Appellant
vs.
M/s.Mirc Electronics Ltd. Respondent

Mr.R.V.Desai, senior counsel with Mr.R.Asokan i/b.
Mr.S.S.Sarkar for the appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 25th October 2004

P.C.

Heard Mr.R.V.Desai, the learned senior counsel for the revenue.

2. The following substantial questions of law arise in this appeal:

"(1) Whether on the facts and in the circumstances of the case and in law, the Tribunal was justified in allowing the amount of Rs.1,10,95,253/- representing public issue expenses on fully convertible as revenue expenditures under Section 37(1) of the Income Tax Act?

(2) Whether on the facts and in the circumstances of the case and in law, the Tribunal erred in deleting the disallowance amount of Rs.13,20,983/- being interest on advance to associate concerns given free of interest?"

3. Admit.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)